

# FISCAL NOTE

## SB 1926 - HB 2231

April 1, 2005

**SUMMARY OF BILL:** Limits damages awarded in medical malpractice to actual economic losses where the claimant did not have health insurance at the time of the treatment.

### ESTIMATED FISCAL IMPACT:

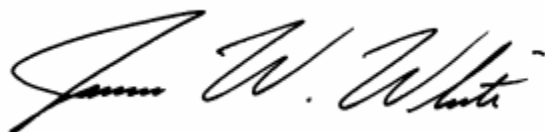
**Other Fiscal Impact – If malpractice premium rates are reduced, the TennCare program and the state health insurance plan could experience more moderate cost increases in the long term. If malpractice awards were decreased, some persons in need of medical care could become eligible for TennCare.**

Assumptions:

- The impact of malpractice changes cannot be determined. Such changes may moderate the growth of malpractice insurance premium rates and savings to TennCare would depend upon the amount of savings passed on by providers.
- If awards were reduced, some persons with significant health care costs could spend down their income and become eligible for TennCare sooner than would otherwise occur.
- Any rights or claims against the State or its employees, and any remedies arising from those claims, are subject to and limited to those rights and remedies available under the Board of Claims.

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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